

DONALD SPECTER – 083925  
REBEKAH EVENSON – 207825  
PRISON LAW OFFICE  
1917 Fifth Street  
Berkeley, California 94710-1916  
Telephone: (510) 280-2621  
Facsimile: (510) 280-2704

WARREN E. GEORGE – 053588  
BINGHAM McCUTCHEN LLP  
Three Embarcadero Center  
San Francisco, California 94111-4066  
Telephone: (415) 393-2000  
Facsimile: (415) 393-2286

LINDA D. KILB – 136101  
DISABILITY RIGHTS EDUCATION &  
DEFENSE FUND, INC.  
3075 Adeline Street, Suite 201  
Berkeley, California 94703  
Telephone: (510) 644-2555  
Facsimile: (510) 841-8645

MICHAEL W. BIEN – 096891  
ERNEST GALVAN – 196065  
GAY CROSTHWAIT GRUNFELD – 121944  
BLAKE THOMPSON – 255600  
MICHAEL FREEDMAN – 262850  
ROSEN, BIEN & GALVAN, LLP  
315 Montgomery Street, Tenth Floor  
San Francisco, California 94104-1823  
Telephone: (415) 433-6830  
Facsimile: (415) 433-7104

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

JOHN ARMSTRONG, et al.,

Plaintiffs,

v.

EDMUND G. BROWN, JR., et al.,

Defendants.<sup>1</sup>

Case No. C94 2307 CW

**STIPULATION AND ORDER  
GRANTING ADMINISTRATIVE  
MOTION TO FILE UNDER SEAL**

<sup>1</sup> The names of Defendants currently serving and their capacities have been substituted pursuant to Fed. R. Civ. P. 25.

1 Plaintiffs and Defendants hereby agree and STIPULATE as follows:

2 1. On March 23, 1995, this Court entered a Protective Order in this action.  
3 Attached hereto as **Exhibit A** is a true and correct copy of the March 23, 1995 Protective  
4 Order.

5 2. On January 16, 2007, this Court entered a Modified Protective Order in this  
6 action. Attached hereto as **Exhibit B** is a true and correct copy of the January 16, 2007  
7 Modified Protective Order.

8 3. Local Rule 79-5 requires that “[n]o document may be filed under seal ...  
9 except pursuant to a Court order that authorizes the sealing of the particular document, or  
10 portions thereof.”

11 4. Plaintiffs’ counsel will shortly file the Reply Declaration of Blake Thompson  
12 in Support of Plaintiffs’ Renewed Motion to Require Defendants to Track and  
13 Accommodate Needs of *Armstrong* Class Members Housed in County Jails and Ensure  
14 Access to a Workable Grievance Procedure, and the Exhibits thereto. These documents  
15 contain “personal information” of prisoners and parolees, as defined in the Protective  
16 Order and Modified Protective Order, including their names, CDCR numbers, and  
17 disability status. Plaintiffs seek to file the Declarations and Exhibits under seal, as they  
18 contain “personal information” of prisoners and parolees, as defined in the Protective  
19 Order and Modified Protective Order.

20 5. Defendants’ counsel does not object to the filing of these documents under  
21 seal.<sup>2</sup>

22 6. Consistent with Northern District Local Rule 79-5, Plaintiffs will file  
23 redacted version of the Reply Declaration of Blake Thompson that omits any information  
24 that identifies a prisoner or parolee. The redacted versions of the Declarations without the  
25 protected exhibits, will be filed publicly, using the Court’s ECF system. Unredacted

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27 <sup>2</sup> By stipulating to filing these documents under seal, Defendant do not waive their right to  
28 contest the propriety of Plaintiffs’ proffer of supplemental evidence.

1 versions of the Declarations, including all exhibits, will be lodged with the Clerk of the  
2 Court in sealed envelopes and will be served on counsel for Defendants by hand delivery.

3 **IT IS SO STIPULATED.**

4  
5 DATED: October 12, 2011

6 ROSEN, BIEN & GALVAN, LLP

7  
8 By: /s/ Gay Crosthwait Grunfeld  
Gay Crosthwait Grunfeld

9 Attorneys for Plaintiffs

10 DATED: October 12, 2011

11 KAMALA D. HARRIS  
12 Attorney General of the State of California

13 By: /s/ Scott Feudale  
14 Scott Feudale  
15 Deputy Attorney General

16 Attorneys for Defendants  
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**ORDER**

Pursuant to Northern District Local Rules 79-5, 7-11, and 7-12, the Court's Protective Order of March 23, 1995, and the Court's Modified Protective Order of January 16, 2007, the Court, having reviewed the Administrative Motion to File Under Seal and the Stipulation of the Parties in Support Thereof, and good cause appearing, hereby issues the following order:

It is hereby ORDERED that the Reply Declaration of Blake Thompson In Support of Plaintiffs' Renewed Motion to Require Defendants to Track and Accommodate Needs of *Armstrong* Class Members Housed in County Jails and Ensure Access to a Workable Grievance Procedure, and any attached exhibits, shall be filed in redacted form to remove any personal information of prisoners and parolees. Plaintiffs shall also lodge unredacted versions of the declarations, including exhibits, with the Clerk of the Court and serve a copy of such documents on Defendants' counsel.

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

DATED: 10/17/2011

  
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THE HONORABLE CLAUDIA WILKEN  
UNITED STATES DISTRICT JUDGE